



1FW

**Certificate of mailing or transmission**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

Date: January 26, 2006

  
Sonia V. McVean

**DOCKET NUMBER**  
36856.1213

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re application of:</b> Teruhisa SHIBAHARA et al.  Serial No.: 10/773,818  Filing or 371 (c) Date: February 6, 2004  For: SURFACE ACOUSTIC WAVE FILTER AND COMMUNICATION APPARATUS	<b>Art Unit: 2685</b>    <b>Examiner: E. Urban</b>
---	--

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, submitted herewith is a copy of an Official Communication issued in a corresponding European patent application citing seven (7) references and a copy of one (1) of the references cited therein. For the Examiner's convenience, we have enclosed a completed Form PTO-1449 listing all five (5) of the seven (7) references cited in the Official Communication.

Although the Official Communication cites two (2) additional references, (U.S. 5,694,095 and EP 0 913 935), Applicants do not submit a copy of these references herewith because they were previously cited in an Information Disclosure Statement filed on August 13, 2004.

Applicants do not submit herewith a copy of the U.S. references because it is no longer a U.S. Patent Office requirement.

The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement, and that this is the first citation of these prior art references by a foreign patent office in a counterpart foreign patent application.

Accordingly, no fee is necessary for the filing of this statement. Should the Commissioner determine otherwise, the Commissioner is authorized to charge Deposit Account No. 50-1353 for any fee shortages, including the petition fee under 37 C.F.R. § 1.17(p).

Applicants respectfully request that the disclosed examination report and the cited references be made of record in the subject application.

Respectfully submitted,



Attorneys for Applicants

Joseph R. Keating  
Registration No. 37,368

Peter M. Medley  
Registration No. 56,125

Date: January 26, 2006

**KEATING & BENNETT LLP**  
8180 Greensboro Drive, Suite 850  
Tysons Corner, VA 22102  
Telephone: (703) 637-1480  
Facsimile: (703) 637-1499



Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet **1** of **2****Complete If Known**

Application Number	10/773,818
Filing or 371(c) Date	February 6, 2004
First Named Inventor	Teruhisa SHIBAHARA
Art Unit	2685
Examiner Name	E. Urban
Attorney Docket Number	36856.1213

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM -YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	3,582,840	06-1971	DE VRIES	
	2	3,582,540	06-1971	ADLER	
	3	5,914,646	06-1999	HASHIMOTO	
	4	5,847,626	12-1998	TAGUCHI ET AL.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM -YYYY	Country of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code*Number-Kind Code <sup>5</sup> (if known)				
	5	EP 1 079 521 A1	012-2001	EPO		X

Examiner  
SignatureDate  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant.

<sup>1</sup> Applicant unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.

Sheet	2	of	2
-------	---	----	---

**Complete if Known**

<b>Application Number</b>	<b>10/773,818</b>
<b>Filing or 371(c) Date</b>	<b>February 6, 2004</b>
<b>First Named Inventor</b>	<b>Teruhisa SHIBAHARA</b>
<b>Art Unit</b>	<b>2685</b>
<b>Examiner Name</b>	<b>E. Urban</b>
<b>Attorney Docket Number</b>	<b>36856.1213</b>

## NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.